

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DMITRI ALI DAVIS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. CIV-09-217-M
	)	
OKLAHOMA COUNTY,	)	
	)	
Respondent.	)	

**ORDER**

On February 26, 2009, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that the petition be dismissed as untimely filed under 28 U.S.C. § 2244(d). Petitioner was advised of his right to object to the Report and Recommendation by March 18, 2009, and a review of the court file reveals that no objection has been filed.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on February 26, 2009; and
- (2) DISMISSES the petition for writ of habeas corpus.

**IT IS SO ORDERED this 24<sup>th</sup> day of March, 2009.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE